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STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

October 23, 2006

TO: Local and Intermediate School Superintendents, Public School  
Academy Directors, and Nonpublic School Administrators

FROM: Carol Wolenberg, Deputy Superintendent *CW*

SUBJECT: Update on the Northern Warehousing, Inc. vs. State of Michigan,  
Department of Education Lawsuit

The purpose of this message is to provide an update concerning the most recent ruling issued by the Michigan Court of Claims in the matter of Northern Warehousing, Inc., vs. State of Michigan, Department of Education.

On October 11, 2006, Judge Nettles Nickerson granted the Michigan Department of Education's motion to dismiss the lawsuit. Due to the favorable decision, the Michigan Department of Education (MDE) will begin the process to re-establish the consortia originally formed for the distribution of U.S. Department of Agriculture (USDA) commodity food products.

This reinstatement of the consortia will be done in phases. Your cooperation and patience will be needed as MDE proceeds forward in this process.

The lead school district for each consortium will be notified individually regarding the details of this process. They will be responsible for contacting each member school district to obtain information needed by MDE to assist us in the reassigning and redirecting of commodity orders.

MDE intends to make this transition as smooth as possible and will keep you posted on further developments. Questions may be directed to Jayme Priest at [priestj@michigan.gov](mailto:priestj@michigan.gov) or by calling 517-373-8642

cc: Jon Tomlanovich, MAISA  
Tom White, MSBO

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